Cash payment in lieu of unutilised earned leave on the date of retirement.

GOVERNMENT OF MAHARASHTRA
Finance Department.
Resolution No. LVE-2477/CR-1397/SER-9,
Mantralaya, Bombay-400 032, Dated 25th April 1978.

RESOLUTION

Government has carefully considered the question of grant of cash equivalent for unutilised earned leave at the credit of Government employees and is pleased to direct that Government servants may be paid cash equivalent of leave salary in respect of the period of earned leave at the credit of Government employees at the time of retirement on superannuation. These orders shall be applicable to the Government servants retiring on superannuation on or after 1st March, 1978. This concession shall be subject to the following conditions :-

(a) The payment of cash equivalent of leave salary shall be limited to a maximum of 120 days earned leave.

(b) The cash equivalent of leave salary thus admissible will become payable on retirement and will be paid in one lump-sum as a one-time settlement.

(c) The cash payment will, subject to (d) below, be equal to leave salary as admissible for earned leave and dearness allowance admissible on that leave salary at the rates in force on the date of retirement. No city compensatory allowance and/or house rent allowance shall be payable.

(d) From the cash amount worked out in accordance with (c) above will be deducted the pension and pensionary equivalent of other retirement benefits for the period for which cash equivalent is payable.

(e) The authority competent to grant leave shall suo-motu issue orders granting cash equivalent of earned leave at the credit on the date of retirement.

2. These orders shall not apply to cases of voluntary or compulsory retirement under Bombay Civil Services Rule 161 or Rule 8 of the Revised Pension Rules, 1950. They shall also not apply to cases of Government servants who are compulsorily retired as a measure of punishment under the disciplinary rules.

3. A Government servant already on leave preparatory to retirement, but who has been allowed to return to duty in accordance with Bombay Civil Services Rule 644(2) shall also be entitled to the benefit of this order on the date of retirement.

4. The benefit under this order shall also be admissible to Government servants who attain the age of retirement on or after 1st March 1978 and are granted extension of service after that date. In such cases the benefit shall be granted on the date of final retirement or expiry of extension to the extent of earned leave at the credit on the date of superannuation plus the earned leave earned during the period of extension reduced by the earned leave availed of during such period, subject to a maximum of 120 days. This benefit will not, however, be available to those who attained the age of retirement before 1st March 1978 and were on extension of service thereafter.

P.T.O.

5. Consequent to issue of these orders, refusal of earned leave preparatory to retirement, under the provisions of Bombay Civil Services Rule 753 will no longer be necessary.

6. A Government servant can also avail of as leave preparatory to retirement, a part of earned leave at his credit. In that case, he will be allowed payment of cash equivalent of leave salary for the balance of the earned leave that remains at his credit on the date of retirement in accordance with these orders.

7. The provisions of the relevant Bombay Civil Services Rules and Revised Leave Rules, 1935 contained in the Appendix XLIV-A of the Bombay Civil Services Rules, Volume II shall be liberalised to the extent indicated above. Formal amendments to the relevant rules will be issued in due course.

8. The expenditure on this account should be initially debited to the advance from the Contingency Fund sanctioned vide Government Memorandum, Finance Department, No.CNF-1178/11/BUD-7, dated 20th April 1978 under the Finance Department Demand No.94, Major Head, "265-Other Administrative Services-Other Expenditure-Encashment of Unutilised Earned Leave on Retirement". A Supplementary Demand to recoup the advance will be presented to the Legislature in due course.

By order and in the name of the Governor of Maharashtra,

संगणक सांकेतांक क्रमांक
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V. PRABHAKAR,
Secretary to Government.

To

The Accountant General, Maharashtra I, Bombay,
The Accountant General, Maharashtra II, Nagpur,
The Pay and Accounts Officer, Bombay,
The Resident Audit Officer, Bombay,
The Chief Auditor, Local Fund Accounts, Bombay,
The Secretary to Governor,
The Secretary to Chief Minister,
Secretary to Deputy Chief Minister,
All Personal Assistants to the Ministers and Ministers for State.
*The Prothonotary and Senior Master, High Court, Bombay,
*The Registrar, High Court, Appellate Side, Bombay,
*The Secretary, Maharashtra Public Service Commission, Bombay,
*The Secretary, Maharashtra Legislature Secretariat, Bombay,
*The Registrar, Office of the Lokayukta and Upa-Lokayukta, Bombay,
All Departments of the Mantralaya,
All Heads of Departments and Offices under the various Departments of the Mantralaya,
All Chief Executive Officers of Zilla Parishads,
All Desks in Finance Department,
Select File, Desk SER-9, Finance Department.

*By letter.

No. of 1978.

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